WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3769

IN THE MATTER OF: Served May 30, 1991

Application of VERNOY FRANKLIN to)   Case No. AP-91-15
Transfer Certificate of Authority)
No. 6 to FRANKLIN CHARTER BUS, INC.)

        By application filed March 28, 1991, Vernoy Franklin
(Mr. Franklin or transferor), a sole proprietor, seeks to transfer
Certificate of Authority No. 6 to Franklin Charter Bus, Inc. (FCB or
transferee), a Virginia corporation. */

        Certificate of Authority No. 6 authorizes the following
transportation:

        IRREGULAR ROUTES, transporting passengers, together
        with their baggage in the same vehicles as
        passengers, between points in the Washington
        Metropolitan Area Transit District;

        RESTRICTED TO operations conducted according to the
        said carrier's applicable tariff on file with the
        Commission; and

        RESTRICTED AGAINST (1) transportation solely within
        the Commonwealth of Virginia and (2) any passenger
        transportation for hire on an individual fare paying
        basis in competition with any existing, scheduled,
        regular-route, passenger transportation service
        performed by, or under a contract with, the Federal
        Government, a signatory to the Compact, a political
        subdivision of a signatory, or the Washington
        Metropolitan Area Transit Authority.

        Mr. Franklin, FCB's president, owns 50 percent of transferee's
stock. Anna Belle Franklin, FCB's Secretary/Treasurer, owns the
remaining 50 percent of transferee's stock. Jerry A. Franklin is FCB's
vice president. All officers serve as FCB's directors.

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*/ As filed this application could be treated either as an application
   of Vernoy Franklin to transfer Certificate of Authority No. 6 to
   Franklin Charter Bus, Inc., or as an application of Franklin Charter
   Bus, Inc., to acquire control of Certificate of Authority No. 6.
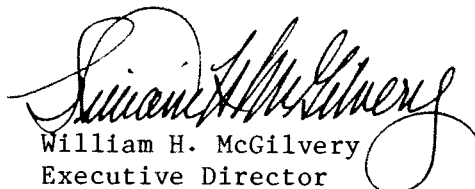   The standard for decision is the same in either case.

The application contains, among other things, information regarding transferee's corporate status, vehicle maintenance program, minimum requirements for drivers, finances, and regulatory compliance record. The application is available for inspection at the office of the Commission during its regular business hours.

In determining whether to grant an application to transfer a certificate, the Compact requires the Commission to determine whether the transfer would be consistent with the public interest. Transferee's fitness is also an issue. Pursuant to Rule No. 6, this order and fulfillment of its requirements will provide notice of this transfer application.

THEREFORE, IT IS ORDERED:

1. That no later than Friday, June 7, 1991, Vernoy Franklin and Franklin Charter Bus, Inc., shall jointly publish once in a newspaper of general circulation in the Metropolitan District, and shall post continuously and conspicuously in each of their revenue vehicles through the deadline for filing protests, notice of this application in the form prescribed by the staff of the Commission.

2. That Vernoy Franklin and Franklin Charter Bus, Inc., shall each file with the Commission, no later than Monday, July 8, 1991, an original and four copies of affidavits of publication and posting as required in the preceding paragraph.

3. That any person wanting to protest this application shall do so in accordance with Commission Rule No. 13 and Regulation No. 54-04(a) and any person wanting to comment on this matter, other than by protest, shall do so, in writing, in accordance with Regulation No. 54-04(a), no later than Monday, July 8, 1991, and shall simultaneously serve a copy of such protest or notice on applicant's representative, John R. Sims, Jr., Esquire, 1275 K Street, N.W., Suite 775, Washington, DC 20005.

4. That any person seeking oral hearing on this matter shall request one, in writing, in accordance with Commission Regulation No. 54-04(b) no later than Monday, July 8, 1991, and shall simultaneously serve a copy of such request on applicant's representative, John R. Sims, Jr., Esquire, 1275 K Street, N.W., Suite 775, Washington, DC 20005.

FOR THE COMMISSION:

William H. McGilvery
Executive Director

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